

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF
TRANSPORTATION, *et al.*,

Defendants.

Case No. 5:23-cv-00304-H

**DEFENDANTS' UNOPPOSED MOTION TO STAY
DEADLINE TO RESPOND TO COMPLAINT**

Defendants respectfully request that the Court stay the current deadline for Defendants to file an answer or otherwise respond to the Complaint. Defendants' current deadline to file an answer or otherwise respond to the Complaint is February 20, 2024. The Court has ordered briefing on the parties' cross-motions for summary judgment, pursuant to which Plaintiffs have already filed a motion for summary judgment and Defendants' deadline to file a cross-motion for summary judgment is also February 20, 2024. Filing an answer at this time in this case likely would not prove helpful to the Court or the parties because the issues in this case are mostly legal in nature. Accordingly, and to advance judicial economy and party resources, Defendants respectfully request that the Court stay the current deadline to file an answer or otherwise respond to the Complaint until after the Court issues a ruling on the parties' cross-motions for summary judgment.

Counsel for Defendants conferred with counsel for Plaintiffs on this motion, and Plaintiffs do not oppose the relief sought herein. A proposed order is attached.

DATED: February 14, 2024

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

JULIE STRAUS HARRIS
Assistant Branch Director

/s/ Michael P. Clendenen
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Counsel for Defendants

On February 15, 2024, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Michael P. Clendenen